

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

**DONALD KEITH RUNNELS
D.O.C. # 187611**

:

**DOCKET NO. 2:23-cv-00252
SECTION P**

VERSUS

:

JUDGE JAMES D. CAIN, JR.

STATE OF LOUISIANA, ET AL

:

MAGISTRATE JUDGE KAY

JUDGMENT

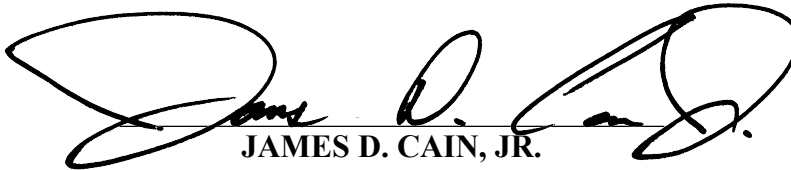
For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record;

IT IS ORDERED, ADJUDGED AND DECREED that the instant petition be **DISMISSED WITHOUT PREJUDICE.**

IT IS FURTHER ORDERED that the Motion to Expedite (Doc. 17) is **DENIED.**

Rule 11 of the Rules Governing Section 2254 Proceedings for the U.S. District Courts requires the district court to issue or deny a certificate of appealability when it enters a final order adverse to the applicant. The court, after considering the record in this case and the standard set forth in 28 U.S.C. Section 2253, denies a certificate of appealability because the applicant has not made a substantial showing of the denial of a constitutional right.

THUS DONE AND SIGNED in chambers this 14th day of July, 2023.


**JAMES D. CAIN, JR.
UNITED STATES DISTRICT JUDGE**